

M0030016
cc: Lynn



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Minidoka Ranger District

3650 South Overland Ave.
Burley, ID. 83318-3242
208-678-0430
Fax: 208-677-4878

Att Bern

File Code: 2810

Date: March 6, 2007

Jerry Cates
Dove Creek Quarries, LLC
HC 63
Box 0001
Park Valley, UT 84329

RECEIVED

APR 11 2007

DIV. OF OIL, GAS & MINING

Dear Mr. Cates:

On February 6, 2007, this office received your plan of operations amendment for expansion of the Dove Creek Quarry.

After reviewing your plan of operations, it was determined that we do not have enough information to proceed with processing your plan of operations under 36CFR228A. We will need the following information:

- 1) Although the plan of operations states that 83.94 acres would be disturbed on National Forest Service System Lands, the quarry cross-sections seem to indicate that much less than that would be disturbed. For example the cross-section of the proposed quarry development north of the Main Quarry does not show the expansion going any further north than the reclaimed Dad's Dream Quarry. Additionally, the topsoil berm shown on Figure 4 is well within the project boundary, leaving approximately 6 acres to the west of the berm. We will need an estimated acreage for quarries, waste rock dumps, topsoil storage areas, roads, and work areas. These areas will also need to be delineated on a topographic map. This is extremely important not only for the environmental review but also for calculating a reclamation bond for the project.
- 2) We will need more information regarding the post mining topography of the project area. This should include detailed maps showing the anticipated post mining topography with probable water flow directions through or around quarry and disturbed areas. We will also need to get an estimate on the anticipated unreclaimed pit wall areas that might remain at the close of operations. Would all waste piles be completely removed or would portions of these remain at the close of operations?
- 3) We will need a more detailed description of the proposed concurrent reclamation. It is not clear from the plan of operations in what manner this will be accomplished. Would all the existing waste pile material at the Main Quarry be utilized in the beginning. Would this material be trucked and dumped into the westernmost quarry or would it be used mainly in just the backfilling of the Main Quarry? It is not clear what standards would be used to determine reclamation completion in this process, if areas reclaimed had not yet met the revegetation



Caring for the Land and Serving People

Printed on Recycled Paper

standard, would further quarry expansion be on hold until these standards were met? Maps and schedules should be used to illustrate how this process would be accomplished.

4) Interim reclamation – We will need more detail on seasonal or interim reclamation of the site. This should include seeding, site stabilization, erosion and sediment control and controlling public access to mining areas during non-operating periods.

5) We will need more detail on sediment and erosion control for the project including what sediment/erosion controls will be used to control both surface flow onto disturbed areas and the prevention of sediment from leaving the quarry areas and flowing into adjacent streams. We will need this information for both during operations and post reclamation. Will the quarries be free flowing or would they collect water during wet periods creating ponds?

6) The plan of operations calls for storing additional waste rock on the southeast corner of the Main Quarry. It appears that there is little room left for waste rock storage in this area without going over the project area boundary line.

7) The plan of operations will also need to discuss post mining monitoring and maintenance, as well as long-term methods to protect public safety. Would anything be done to stabilize unreclaimed pit faces and to prevent rock falls after operations have ceased?

8) What will be done for dust abatement and other air quality concerns?

9) We will need further information on topsoil storage. How would the topsoil berm be constructed and to what dimensions. We will also need some detail on the topsoil storage area such as estimated size, volume of topsoil stored, and interim reclamation methods including stabilization and seeding. The area proposed for topsoil storage at the southwestern corner of the Main Quarry may cover an intermittent spring area, but the map is not detailed enough to make this determination.

10) What will be the method used in spreading topsoil over reclaimed areas? It is possible that there would not be enough topsoil to use over all recontoured areas, would certain areas be designated higher priorities for topsoil. Would soil amendments or fertilizers be considered when conducting reclamation.

11) Because the plan amendment proposes a dramatic increase in production into new areas, we may need to make a determination of what percentage of the stone produced would be considered an uncommon variety and what, if any, might be considered a common variety product. Please indicate the expected volumes and physical characteristics of the stone that would be produced by your operations.

12) How many workers would be on site and what would the anticipated vehicle trips per day to the site? Would porta-potties or equivalent be available on National Forest System Lands for workers to use?

13) The plan of operations estimated that up to 15,000 tons per year for 20 years could be produced under this plan which would be approximately 300,000 loose cubic yards. If the topsoil from the entire 84 acres was salvaged to one foot depth that would constitute another 200,000 loose cubic yards of material. Using the cross-sections provided, an estimate of at least 1.5 million loose cubic yards of material could be generated. We will need more information on what the anticipated volume of waste rock would be versus the material removed from the site.

14) We will need a detailed list of additional permits that may be required by other governmental agencies for this project.

15) Because of the anticipated increase in truck traffic and possibly other vehicle traffic, do you anticipate any modifications, such as turnouts, to the main access road or signing to warn the public of truck and vehicle travel to the quarries?

16) As discussed with you in past meetings, the area of your operations is important sage grouse habitat. Because your proposed operations represent a dramatic increase in both disturbance and activity, we will need as much specific detail as possible regarding your operations. Although your plan of operations does not mention possible offsite mitigation, you have mentioned that you were working on identifying private lands in the vicinity that might be available for this purpose. Please discuss in your plan of operations if you are still working on this.

16) Your plan of operations mentions installation of a pressure washer to wash vehicles to reduce possible noxious plant seeds from being carried onto the Forest. Where would this washer be placed and on what schedule would it be used?

17) Prior to any new disturbance, initial inventories need to be conducted by FS personnel prior to new disturbance and of sites that would be used for gravel, borrow, or topsoil. Do you have the capability and permits (applicator's licenses) to treat noxious weeds on public lands?

19) What methods would be used to limit public access to both quarry locations and access roads especially during the spring when deer fawning, sage grouse, and lambing are of the most concern?

Because your proposed plan of operations would at a minimum redisturb the Dad's Dream Quarry and possibly the Upper White Quarry, the Decision that was issued in 2006 approving the Sunshine East and Vertical Cloud Quarries may no longer be valid. The 2006 Decision was based on these two quarries being reclaimed and remaining reclaimed. We may have to revisit the Decision authorizing the Sunshine East and Vertical Cloud Quarries as part of the new environmental analysis for the new proposal. Additionally, given the dramatic increase in acreage of this project, in addition to cumulative impacts with other quarry operations in the area, and the uncertainty of the certain aspects of the operation (such as amount of waste rock and post-mining topography), it is possible that an environmental impact statement may be required.

We would like to schedule a meeting to discuss this letter and the environmental review process. Please let us know if you are available.

If you have any questions or comments, please contact Steve Flock, Minerals Management Specialist at the above address or telephone number.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott Nannenga". The signature is fluid and cursive, with the first name "Scott" and last name "Nannenga" clearly distinguishable.

SCOTT C. NANNENGA
Minidoka District Ranger

Att
Lynn

From Jerry Cates
4/11/07

RECEIVED

APR 11 2007

DIV. OF OIL, GAS & MINING